

Montana Long Term Care Study Commission

ad hoc Committee

March 9, 2009

Dear Legislator,

S.B. 330, amending the Older American's Act, introduced by Senator Moss, other than a few minor word changes, is a rerun of S.B. 226. The Department of Public Health and Human Services assured the committee they would incorporate the provisions of the bill, however, it was not acted upon. Subsequently, the bill was tabled. After the session, we met with the Department and they agreed to support a rerun of the legislation as they recognized the value of institutionalizing this concept in the Montana Older Americans Act.

Your handout contains the Canadian National Health protocol for achieving accountability and the Older Americans Act. Our study group made an on site visit of all aspects of the Winnipeg long-term division and reviewed their management protocol, "Achieving Accountability", which establishes responsibility and performance expectations. **As part of this system is a continuing process for evaluation, feedback and partnerships with the providers which would enhance the function of our Department of Health and Human Services Long Term Division.**

A copy of Montana Older Americans Act is also included and inasmuch as it tends to be more generic than specific, S.B. 330 requires Administrative Rules to flesh out the act and the amendment with more specificity. **As you know, the concept of "Wellness" which includes access, treatment and behavior modification is now recognized as an essential element minimizing catastrophic high cost treatment. We believe this concept can be woven into the act through the Administrative Rules process.**

Manitoba prioritizes in Home Care and we will share some of their innovative programs with the Division which achieves quality care at the lowest possible cost.

We would respectfully ask you to examine the Achieving Accountability report before making a decision.

Sincerely,



Harold Hanser, Chairman
624 Avenue C, Billings, MT 59102
406-259-9655

Cross-References

Adoption and publication of rules, Title 2, ch. 4, part 3.

Part 5

Montana Older Americans Act

Part Cross-References

Montana Access to Food and Nutrition Act. Title: 50, ch. 49, part 1.

52-3-501. Short title. This part may be cited as the "Montana Older Americans Act".

History: En. Sec. 1, Ch. 67, L 1987; Sec. 53-5-701, MCA 1989; redes. 52-3-501 by Code Commissioner, 1991.

52-3-502. Definitions. In this part, the following definitions apply:

- (1) "Department" means the department of public health and human services provided for in 2-25-2201.
- (2) "Older Montanan" means a resident of this state who is at least 60 years of age.

History: En. Sec. 2, ch. 67, L 1987; amd Sec. 64, ch 83 L 1989; Sec. 53-5-702, MCA 1989, redes; 52-3-502 by Code Commissioner. 1991; amd Sec. 360. Ch. 546 L 1995.

52-3-503. Purpose and Policy. (1) The legislature finds that older Montanans constitute a valuable resource of this state and that their competence, experience, and wisdom must be used more effectively for the benefit of all Montanans.

(2) The legislature further finds that a complete range of services is not available in all areas of the state and that many Montanans lack access to the services that are available.

(3) The legislature declares that it is the policy of this state, subject to available funding, to provide a wide range of coordinated services to enable older Montanans to maintain an independent lifestyle, avoid unnecessary institutional care, and live in dignity.

(4) It is the intent of the legislature that available federal, state, regional, and local resources be used to strengthen the economic, social, and general well-being of older Montanans and that the state:

- (a) develop appropriate programs for older Montanans;
- (b) coordinate and integrate all levels of service; with emphasis on the whole person and
- (c) promote alternative forms of service that will create options for older Montanans .

History: En. Sec. 3, Ch 67. L 1987; Sec. 53-5-703, MCA 1989; redes. 52-3-503 by Code Commissioner; 1991; and Sec. 3, Ch 435. L. 1999.

52-3-504. Services to be provided. Subject to available funding, the department in conjunction with other state, local and private agencies and organizations, shall identify and may provide for older Montanans, in addition to existing services:

- (1) a directory of available services;
- (2) transportation that provides access to services;
- (3) housing, nutrition education, homemaker, escort, respite, hospice, and other programs that facilitate self care:
- (4) physical and mental healthcare including inpatient and outpatient services, screening, appliances and supplies, and home health care;
- (5) placement in adult day care, foster care, personal care, supervisory care and nursing homes;
- (6) protective advocacy and legal problems;
- (7) job training; job development, and income maintenance;
- (8) adult education; and
- (9) training and research in aging.

History: En. Sec. 4, Ch. 67 L 1987; Sec. 53-5-704. MCA 1989; redes. 52-3-504 by Code Commissioner 1991; and Sec. 4, Ch. 435 L 1999.

Montana State Legislature

2009 Session

Exhibit 2

This exhibit is a booklet and it cannot be scanned therefore only the cover and table of content has been scanned to aid you in your research. The original exhibit is on file at the Montana Historical Society and may be viewed there.

**Montana Historical Society
Archives, 225 N. Roberts, Helena,
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Scanning by: Susie Hamilton

Montana



Long Term Care Study Commission
-ad hoc committee

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ad hoc Committee

DRAFT REPORT TO GOVERNOR BRIAN SCHWEITZER

December 6, 2005

Recommending Enhancements To Existing Montana Law and
Administrative Rules Relating To In-Home Care.

Prepared by the
Montana Long Term Care Study Commission,
an ad hoc Committee

1.

Format

It was determined that rather than submitting an extensive narrative, the report would be supplemented with pertinent research material. More detail is provided supporting the rationale for the offered enhancements to existing law and administrative regulations relating to the duties of the Montana Department of Health and Human Services regarding in-home services. We recommend reading the research material which has been subdivided to facilitate reference to specific issues. Those pertaining to the Canadian system outline the philosophy and operating procedures of the Canadian National Health Service in providing cost efficient quality care for in-home services.

There is no attempt to offer a comprehensive evaluation of either the Canadian National Health Service or the Department, other than as they relate to in-home services. However, the research materials which illustrate the Canadian policy and process for achieving accountability to ensure cost effective quality care have an applicability to other functions of the Department. "Department" as used in the report refers to the Montana Department of Health and Human Services.

2.

Introduction

The United States health care system is on the cutting edge with skilled medical practitioners, state of the art technology, a cornucopia of pharmaceuticals, and modern facilities, but few would deny it is in a cost crisis and, to a lesser extent, an access crisis. Montana, as the other states, is obligated to increasing funding for Medicaid due to increasing numbers, the threatened decrease in federal financial support, and a continuing increase in costs. The Long Term Care Study Group Proposal and the Directions for the Future (Section 4 of the research material) written by David Cunningham, Rimrock Foundation CEO, identify some of the barriers to health care reform which impede the delivery of cost effective quality care.